

Municipal Fire Fighter Maximum Hiring Age

Based on the NJ Attorney General Opinion Issued
February 25, 1997

Candidates over age 35 as of the closing date of the examination are not eligible for appointment to Municipal Fire Fighter positions, *with certain exceptions.*

A candidate is considered to be **over** 35 on the candidate's 35th birthday.

Candidates may be able to reduce their age based on certain military service.

Non-Volunteer candidates who pass the examination are eligible for appointment for the life of the eligible list, even if they turn 35 years old while on an active list

A provision exist for adjusting (reducing) a candidate's actual age for purposes of meeting the maximum age 35 (or maximum age 40 for volunteer and Exempt Fire Fighters) requirement:

AGE REDUCTION FOR MILITARY SERVICE

Prior military service during the periods and under the conditions specified in the Civil Service Act related to veteran's preference may be deducted from actual age as of the closing date of the examination, or as of the date of appointment for volunteer and exempt fire fighters. Military service that does not fall within the periods and under the conditions specified **cannot** be deducted from actual age.

VOLUNTEER FIGHTER SERVICE

Volunteer Fire Fighters are eligible for appointment to Paid Municipal Fire Fighter positions **in the fire force in which they serve**, provided they have two continuos years of volunteer service, and are **not over the age of 40 as of the date of appointment** (One is considered to be over age 40 on one's 40th birthday)

Exempt Firefighters are eligible for appointment to paid positions in the fire force in which they serve, regardless of the amount of service, provided they are **not over the age of 40 as of the date of appointment.**

Example

A candidate, age 40 years, had 6 years of qualifying military service.

A.	Age as of examination closing date	<u>40</u>
B.	Amount of qualifying military experience	<u>6</u>
C.	Final adjusted age (Subtract B. from A.)	34

This candidate is eligible to take the examination and be appointed to a fire fighter position because his final adjusted age is under 35.

Example

A volunteer Fire Fighter, age 42, had 3 years of volunteer experience. He also entered military service in the Vietnam Conflict and served in Vietnam for 4 years.

A.	Age as of appointment date	<u>42</u>
B.	Amount of prior qualifying military service	<u>4</u>
C.	Final adjusted age (Subtract B. from A.)	<u>38</u>

This candidate is eligible because his age adjustment reduces his age to under 40 as of the appointment date, and he is a volunteer with at least two years of volunteer service.

INSTRUCTIONS FOR Age Adjustment Worksheet

Use only ONE BOX. Fill in the ONE appropriate to your status.

- | | | |
|----|---|-------|
| A. | Age as of the Appointment date
<i>(established by appointing authority)</i> | _____ |
| B. | Amount of prior qualifying military service | _____ |
| C. | Final adjusted age (Subtract (B) from (A)) | _____ |

- | | | |
|----|---|-------|
| A. | Age as of the closing date | _____ |
| B. | Amount of prior qualifying military service | _____ |
| C. | Final adjusted age (Subtract (B) from (A)) | _____ |

INSTRUCTIONS FOR REPLYING TO MUNICIPAL FIRE FIGHTER CERTIFICATIONS FOR APPOINTMENT

1. If a candidate receives a "Notification of Certification" he or she **must respond in writing to the appointing authority named in the notification within five business days of the notice date on the notification.**

If the candidate **does not respond** in writing to the appointing authority, the candidate will be **removed** from consideration for appointment as a Fire Fighter.

2. The local appointing authority will require the candidate to provide proof of age, and military service (if applicable).
A candidate claiming an adjusted age based on military service will need a copy of his or her military separation papers (DD214) showing the beginning and ending dates of qualifying service, and the location of the qualifying conflict in which he or she served.
If the separation papers do not include this information, the candidate will have to obtain written certification from the military service branch in which he or she served that includes this information.
3. If a candidate cannot reduce his or her age as described in # 2, and is **over** the maximum hiring age for Fire Fighter as of the **closing date** of the examination announcement, or as of the **date of appointment** in the case of a volunteer and exempt fire fighter, the candidate **must** inform the appointing authority, when responding to the "**Notice of Certification**," that he or she does not qualify for appointment **because he or she is over age.**

CIVIL SERVICE VETERANS PREFERENCE

Candidates who served in the military during World War II, the Korean Conflict, or the Vietnam Conflict are eligible for civil service veterans preference if **all** of the following conditions are met:

- * they served for at least 90 days of active duty (the 90 day requirement does not apply if one received a service-incurred injury or disability); and
- * they were discharged under conditions other than dishonorable; and
- * the period of service was within the time periods listed in 1 through 3 below:

1. **World War II** - On or after September 16, 1940, and must have begun on or before December 31, 1946.

2. **Korean Conflict** - On or after June 23, 1950, and must have begun on or before January 31, 1955.

3. **Vietnam Conflict** - On or after December 31, 1960, and must have begun on or before May 7, 1975.

Candidates who served in the military during the peacekeeping missions in Lebanon, Grenada, Panama, Arabian Peninsula/Persian Gulf, Somalia, and Bosnia and Herzegovina are eligible for civil service veterans preference if all of the following conditions are met:

- * they served for at least 14 days on active duty OR served at least one day on active duty and received a service-incurred injury or disability; and
- * the service was in the geographic area or on a ship patrolling the territorial waters of the nation, or in the airspace over Bosnia and Herzegovina; and
- * they were discharged under conditions other than dishonorable; and
- * the period of service was within the time periods listed in 4 through 9 below:

4. **Lebanon Crisis** - On or after July 1, 1958, and must have begun on or before November 1, 1958.

5. **Lebanon Peacekeeping Mission** - On or after September 26, 1982, and must have begun on or before December 1, 1987.

6. **Grenada** - On or after October 23, 1983, and must have begun on or before November 21, 1983.

7. **Panama** - On or after December 20, 1989, and must have begun on or before January 31, 1990.

8. **Arabian Peninsula/Persian Gulf** - On or after August 2, 1990 to present.

9. **Somalia** - On or after December 5, 1992, and must have begun on or before March 31, 1994.

10. **Bosnia and Herzegovina** - On or after November 20, 1995 to present.

11. **Haiti** - On or after September 19, 1994, and must have begun on or before March 31, 1995.

To be eligible for civil service disabled veterans preference, candidates must be veterans as described above and must have incurred a disability. The disability must be one for which they are eligible to receive ten percent or greater disability compensation.

The following are eligible for civil service disabled veterans preference, if the veterans would have been eligible for civil service veterans preference: spouses of disabled veterans who are not employed in a New Jersey civil service jurisdiction and agree to waive the preference for the duration of the spouses' employment; surviving spouses of disabled veterans who have not remarried; and surviving spouses and parents of veterans who died in service.

The surviving spouse of a veteran who did not die in the service is entitled to the same civil service veterans preference to which the deceased veteran would have been entitled until such time as the surviving spouse remarries.

Note: Candidates whose only active service was for training in connection with a Reserve or National Guard obligation are not eligible for civil service veterans preference.

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